

**Task Force on Wildland-Urban Interface Standards
Minutes from Meeting January 24, 2008
Helena**

Present:

Harold Blattie	Montana Association of Counties
Dave Cook	Department of Labor and Industry
Pat Cross	Department of Natural Resources and Conservation
Bob Fry	Disaster and Emergency Services
Jack Kane	Department of Labor and Industry
Dave Mason	Montana Fire Chiefs
Pat McKelvey	Fire Safe Montana / Lewis & Clark County
Bill Meadows	Montana Farm Bureau
Mark Phares	Department of Natural Resources and Conservation
Bruce Suenram	Fire Logistics, Inc.

Facilitator: John Moore

The meeting convened at 10:11 a.m.

By consensus, the group reached these decisions:

1. Agreed on the necessity of updating and publishing WUI standards for Montana.
2. Developed an outline on Standards and Best Practices for Wildland-Urban Interface.
 - table of contents
 - purpose
 - preface: reasons for document – describe authorizing statute, SB51
 - define the problem
 - characteristics of Montana WUI
 - current protection
 - responsibilities of different jurisdictions – include property owners
 - Risk Assessment Section
 - guide to rate risk
 - methods for consistency
 - Standards for Community Asset Protection
 - access and egress
 - water supply
 - survivable space
 - vegetation management
 - asset protection zone
 - fuel breaks
 - fire resistant plants
 - maintenance
 - building design and construction
 - reference to DLI standards
 - utilities and stuff – refer to existing rules
 - building location

- specific standards
- dovetail with DLI construction standards
- community safety and emergency preparedness
 - latitude and longitude
 - road signs
 - emergency response capability
 - property owners' responsibilities for maintenance
- Best Practices for Development
 - WUI zones
 - model covenants
- Best Practices for Loans and Grants to Local Governments
- Appendices
 - definitions
 - others as needed
- References

3. Assigned tasks, responsible parties, and deadlines for developing content of the document.

<u>Activity</u>	<u>Responsible</u>	<u>Deadline</u>
minutes, outline	John Moore	1/31/08
clearinghouse, assemble master document	Mark Phares	3/31/08
purpose of document define the problem references	Pat Cross	3/31/08
WUI zone information model covenant information standards for community asset protection community safety & emergency prep	Bruce Suenram	3/31/08
definitions property owner responsibilities	Bob Fry	3/31/08
Best Practices (placeholder) ask for input from participants	Pat Cross	3/31/08

4. Scheduled the task force's next meeting
April 2, 2008, 10 a.m., Yellowstone Room, Metcalf Building, Helena
agenda items

- review and comment on draft document
- get more input on best practices
- move to final production of standards and best practices document

Discussion Summary – these are points brought up during the meeting

Necessity of WUI standards

- why are we looking at these documents? [1993 Guidelines, IWUIC, NFPA 1144]
 - SB51 requirements for DNRC and DLI
 - need to develop guidelines using these documents (also NFPA 1141)
 - look at the best parts and put them into a single document
 - DLI is working from the same page
- the challenge: guidelines must address significant building components regarding SB51, DLI will address construction techniques to mitigate fire hazards
 - construction is one small slice of the pie – also need to address existing structures
 - emphasis – get people to the table to describe hazards
 - other parts to be addressed later
- SB51 work is “dress rehearsal” – precursor, but we need knowledge of hazards needing mitigation
 - find out what techniques are available
 - dynamic process – keep rules “fresh” with input from across the state
 - where’s the line between the mix of codes and zoning?
- DNRC needs to be cross-linked to DLI building techniques – these guidelines look to where to build, not how
- zoning is the only way to enforce – and incorporate building codes
- we need buy-in from the counties or we’re wasting time
- there are two pieces – preconstruction and follow-up for defensible area
- we need to change terminology to “survivable” – make it commonplace so people understand
- also need to emphasize property owners’ responsibility
 - homeowners associations are the ones to enforce maintenance
 - peer pressure is effective
 - not a code answer, but that could be eventual outcome
- property owners need a standard they can use, and local fire departments can point to
- guidelines for subdivisions and guidelines for covenants
 - unless county or fire district is party to covenant, who enforces?
 - some enforcement comes from relationship to insurer – use of checklist
- we need to focus on the critical areas to address
 - roads, access
 - water supply
 - building separation, density
 - standard mitigation measures
- outside of that, it comes down to the property owner
- some of those areas in the three documents we’re looking at, but a bit outdated among the three, the information is there
 - some codes are on a regular cycle for update

- DLI codes – every two years, we look at changes and update, if needed
right now, this area of WUI isn't in place – end of October
- State of Utah did a similar activity – cherry-picked the parts they wanted and put out a model code – they plan to keep up with changes
that's the job here
we need to move development forward in a smart way
 - this can be regionalized for different needs in different areas of the state
 - the list can be long, but people don't have to use everything on the list
 - DNRC needs to dovetail these rules (SB51) with SB 145
 - if a good document is the result, a wonderful thing, what do we do with it? how do we implement standards?
we need to get the word to developers, planners, property owners, county commissioners -- it's an educational effort
education is great – the crux is enforcement – counties need the authority to enforce; that's not easy – you've seen what happens with zoning efforts
certified counties, such as Missoula, can enforce – the problem is what happens when you come to the county line, and the next county isn't certified
 - we're trying to achieve the IWUIC approach, where counties can adopt these standards separate from other codes or zoning
 - SB51 really address 0.1% of the problem – it was pared down to “suggestions”
the difference here is that the result will be administrative rules, not just guidelines
but there still won't be any authority to enforce
it still provides a tool
we need to educate commissioners to do the right thing
but even those who have the political will to try the right thing get stymied by protest action
 - we need to focus on critical areas
 - with these issues, would we be better off for legal overriding authority down the road?
we're headed that way
if legislature hands authority to state agencies, the counties will be happy
SB51 is the mechanism to continue the dialog
SB145 provides some authority, some kick, to SB51
 - there are differing levels of authority for self-regulation, county, and city
If DNRC adopts rules by reference, that would maybe give it civil authority to step in
how does taking county commissions off the hook change the situation?
the county would have to address development under state standards
be careful that DNRC doesn't get into subdivision review – keep it local
anyway, subdivision is a small part of the big problem
 - the outcome of this process is foundational to making any progress
legislature wants that – “show us specifics before we grant authority”
this outcome can also help MACo's effort to develop standards

Developing an Outline for Standards and Best Practices

- to move ahead, we need to come up with purpose of document
 - part of the driving force is the cost of suppression, to reduce the cost of protecting structures
 - also important – protect life, protect property
 - most people who die in this type of disaster are killed on roads
 - protecting “value” drives USFS
 - our purpose encompasses all
 - high ground: protect public health, safety, welfare – also control costs
 - a guideline for future development and to protect existing resources
 - not all affected land is covered by subdivision regulation
 - need to have standards, mitigate risk
- we need a retroactive provision
 - has to be specific to how far back retroactivity goes
 - any actions in past are viewed in terms of the rules in effect at the time
- lots can still be subject to zoning and building codes
- we have to build a document – let’s decide on framework and parcel it out
 - don’t we have it in IWUIC – why reinvent the wheel?
 - what do we want to see?
 - we can tweak existing information
 - those that understand nuts and bolts need to do it
 - DNRC / DLI – how interface?
 - ideally, should have same document – more like partner documents
- this group is focused on DNRC only
 - creating a document that can be used by other jurisdictions
 - “common-sense” guidelines
 - we should treat it as more than guidelines – call them “standards”

Assigning Tasks and Deadlines

- where to from here?
- we should parcel out these sections – have people work on them and send to a central person
- Mark Phares will be the “clearinghouse” for content as it’s developed
- who is willing to take on what sections?

Next Meeting

- what’s our timeline?
- goal – have the draft document done by 4/15/08
- goal – publish the proposal notice for adoption by reference by 5/30/08
- that would mean getting a real good start by the end of March

The meeting adjourned at 1:03 p.m.